

### **REMARKS/ARGUMENTS**

The Applicant has carefully considered this application in connection with the Examiner's Action and respectfully requests reconsideration of this application in view of the foregoing amendment and the following remarks. The Applicant originally submitted Claims 1-11 in the application. In previous responses, the Applicant amended Claims 1-9 and 11 and added Claims 12-20. In the present preliminary amendment, the Applicant amended Claims 1, 6, and 12-13. Support for the amendment can be found on page 1, line 21, to page 2, line 14, and Figures 1a, 1b and 2. The Applicant has not canceled any claims. Accordingly, Claims 1-20 are currently pending in the application.

#### **I. Rejection of Claims 1-4, 6-9, 11-15 and 18-19 under 35 U.S.C. §103**

Previously, the Examiner rejected Claims 1-4, 6-9, 11-15 and 18-19 under 35 U.S.C §103(a) as being unpatentable over a web article entitled "Javascript Dynamic Text Area Counter" by Nannette Thacker. The Applicant respectfully disagrees since Thacker does not teach or suggest a graphic element associated with an edit field for visually representing a remaining capacity of a predefined maximal number without employing a character as recited in amended independent Claims 1 and 6. Instead, Thacker provides a counter that uses characters, "125 characters left," to indicate the number of remaining characters that can be entered in a text area. (*See* page 1.) Thus, Thacker clearly teaches using characters in the counter and provides no teaching or suggestion of a graphic element that visually represents a remaining capacity without employing a character as recited in amended Claims 1 and 6.

The Examiner previously asserted that the remaining text area space in Thacker not occupied by input characters visually indicates the remaining space. (*See Examiner's Final Rejection*, page 4.) The visually remaining text area space, however, reflects the size of the display screen; it does not indicate the remaining capacity for concurrently processing a predefined maximal number of data entered in an edit field. On the contrary, instead of indicating the remaining capacity for concurrently processing as presently claimed, the visually remaining space on a screen can mislead a user that is inputting text to think that there is more or less capacity in an edit field.

Thus, for at least the above reasons, Thacker does not teach or suggest each element of amended independent Claims 1 and 6. As such, Thacker does not provide a *prima facie* case of obviousness of independent Claims 1 and 6 and Claims dependent thereon. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103 rejection with respect to Claims 1-4, 6-9, 11-15 and 18-19 and allow issuance thereof.

## **II. Rejection of Claims 5 and 10 under 35 U.S.C. §103**

The Examiner has rejected Claims 5 and 10 under 35 U.S.C. §103(a) as being unpatentable over Thacker in view of U.S. Patent No. 6,097,390 to Marks. The Applicant respectfully disagrees.

As discussed above, Thacker does not teach or suggest a graphic element to visually represent, without employing a character, a remaining capacity for concurrently processing a predefined maximal number of data entered in an edit field as recited in amended independent Claims 1 and 6. Marks has not been cited to cure the above deficiency of Thacker but to teach the subject matter of the above dependent Claims. Additionally, Marks does not cure the deficiency

of Thacker but instead provides a progress-indicating pointer in a graphical user interface. (*See* column 1, lines 6-8.) Since the cited combination of Thacker and Marks does not teach each and every element of amended independent Claims 1 and 6, the cited combination does not provide a *prima facie* case of obviousness of Claims 1 and 6 and Claims that depend thereon. Dependent Claims 5 and 10, therefore, are not unpatentable in view of Thacker and Marks. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of dependent Claims 5 and 10 and allow issuance thereof.

### **III. Rejection of Claims 16-17 and 20 under 35 U.S.C. §103**

Previously the Examiner rejected Claims 16-17 and 20 under 35 U.S.C. §103(a) as being unpatentable over Thacker in view of U.S. Patent No. 5,805,166 to Hall Jr., *et al.* The Applicant respectfully disagrees.

As discussed above, Thacker does not teach or suggest a graphic element to visually represent a remaining capacity for concurrently processing a predefined maximal number of data entered in an edit field without employing a character as recited in amended independent Claims 1 and 6. Hall has not been cited to cure the above deficiency of Thacker but to teach the subject matter of the above dependent Claims. Additionally, Hall does not teach or suggest a graphic element to visually represent a remaining capacity for concurrently processing a predefined maximal number of data entered in an edit field without employing a character but instead relates to displaying status information in a graphic user interface environment of a data processor. (*See* column 1, lines 6-9.) Since the cited combination of Thacker and Hall does not teach each and every element of amended independent Claims 1 and 6, the cited combination of Thacker and Hall

does not provide a *prima facie* case of obviousness of Claims 1 and 6 and Claims that depend thereon. Dependent Claims 16-17 and 20, therefore, are not unpatentable in view of Thacker and Hall. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §103(a) rejection of dependent Claims 16-17 and 20 and allow issuance thereof.

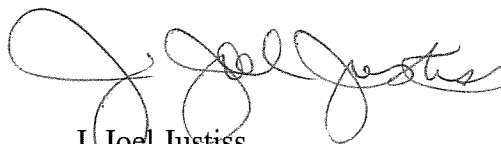
#### **IV. Conclusion**

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-20.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink, appearing to read "J. Joel Justiss", written in a cursive style.

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